

## Hohman, Darla

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**From:** Hohman, Darla  
**Sent:** Thursday, April 14, 2016 4:05 PM  
**To:** 'Gabe Claypool'  
**Cc:** Dean, Abigail  
**Subject:** DPTS NRC Spill Report No. 1010721

Dear Mr. Claypool:

The EPA is in receipt of Dakota Plains' response to our request for information, dated November 3, 2015, regarding a crude oil spill in New Town, North Dakota (NRC No. 1010721). Based on a review of all information currently in our possession, the EPA believes Dakota Plains may be in violation of section 311(b)(3) of the Clean Water Act (CWA). Prior to taking a unilateral enforcement action, the EPA is open to discussing the terms of a compliance and/or penalty order with Dakota Plains in order to reach a mutually acceptable agreement. If Dakota Plains is interested in entering into early discussions with the EPA, please let me know **within 10 days** of receipt of this email. If you are represented by counsel, you may have your attorney contact EPA enforcement counsel, Abby Dean at 303-312-6106 or [dean.abigail@epa.gov](mailto:dean.abigail@epa.gov). The EPA appreciates your cooperation in working to resolve this matter.

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